

10825448

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Continuation re application of

STEPHEN WIELAND ET AL.

:
: NON-LOAD DRIVEN FAULT MONITOR
: FOR ELECTRICAL CIRCUITS
:
:
: Atty. Docket No. 370020-00025

PETITION TO ACCEPT A DECLARATION
SIGNED BY TWO OF THE THREE INVENTORS

October 12, 2004

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The Applicants, Stephen Wieland and Edward Mazorowicz, respectfully request acceptance of the Declaration being filed herewith in response to the Notice of Missing Parts, which has not been signed by the third co-inventor, Richard Misialowski.

Stephen Wieland provided Richard Misialowski with a copy of the declaration on or about August 11, 2004, informing Mr. Misialowski that the declaration was required to be signed in order for the above referenced patent application to be examined. Mr. Wieland verbally reminded Mr. Misialowski of the need to sign the declaration on or about August 24, 2004 and September 2, 2004. Mr. Misialowski left Alcoa on or about September 7, 2004. Mr. Wieland and Mr. Mazorowicz continued to attempt to obtain Mr. Misialowski's signature on a declaration by attempting to find contact phone numbers for Mr. Misialowski. After eventually finding two telephone numbers, messages were left at both telephone numbers on or about September 27, 2004, explaining that the declaration must be signed for the application to be examined, and requesting a return phone call. No return phone call has been received.

A declaration executed by Stephen Wieland, explaining the steps taken by the applicants to obtain the signature of Richard Misialowski on the declaration, has been submitted herewith.

Richard Misialowski's last known address is 777 Fox Hills Drive East, Bloomfield Hills, Michigan 48304.

This Petition is accompanied by a check in the amount of \$130.00 as payment of the petition fee. The U.S. Patent and Trademark Office is hereby authorized to charge any underpayments or credit any overpayment to Deposit Account No. 02-2556 of Eckert Seamans Cherin & Mellott, LLC.

Respectfully submitted,

William F. Lang IV

William F. Lang IV
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Attorney for Applicant
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412/566-2024



In re application of

STEPHEN WIELAND ET AL.

:
: **NON-LOAD DRIVEN FAULT MONITOR**
: **OR ELECTRICAL CIRCUITS**
:
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: Atty. Docket No. 370020-00025

DECLARATION OF STEPHEN WIELAND IN SUPPORT OF THE PETITION TO
ACCEPT A DECLARATION SIGNED BY TWO OF THE THREE INVENTORS

October 7, 2004

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Stephen Wieland, one of the named inventors for the above referenced patent application, state the following facts in support of Applicants' Petition to Accept a Declaration Signed by two of the three Inventors.

1. On or about August 11, 2004, I forwarded the email from our representative, containing as attachments a declaration, power of attorney, and assignment for the above-referenced patent application, to Richard Misialowski and Ed Mazorwicz, indicating that the documents were required to be signed for the prosecution of this patent application. Although Richard Misialowski acknowledged the email, he did not return the signed documents.

2. On or about August 24, 2004, I verbally reminded Richard Misialowski of the need to sign and return the Declaration, Power of Attorney, and Assignment. Although he acknowledged the reminds, he never returned the signed documents.

3. On or about September 2, 2004, I verbally asked Richard Misialowski to return the signed Declaration, Power of Attorney, and Assignment by the end of the work week of September 6, 2004. Although the request was acknowledged, and Mr. Misialowski promised to return the signed documents the following week, the documents were not returned.

4. Richard Misialowski left Alcoa on September 7, 2004.


5. On or about September 27, 2004, and after some difficulty finding a contact phone number for Richard Misialowski, two telephone numbers were found. I left a message at both telephone numbers explaining that the Declaration, Power of Attorney, and Assignment for the above referenced patent application needed to be signed, and requested a return phone call. These phone calls were not returned.

6. Richard Misialowski's last known address is 777 Fox Hills Drive East, Bloomfield Hills, Michigan 48304.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements named on information and belief are believed to be true, and further that these statements were made with the knowledge false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereto.

Respectfully submitted,

10/11/2004
Date


Stephen Wieland